

31223 / 78925

(F-721)

Image 1/1
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

09/206,216

Confirmation No.: 5195

Applicant:

Dath et al.

Filed:

December 5, 1998

Examiner:

Tam M. Nguyen

Group Art Unit:

1764

Attorney Docket No.:

F-721 (31223 / 78925)

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Donna G. Nelson
Donna Dobson

March 1, 2004
Date of Deposit

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Rejection dated October 31, 2003, rejecting claims 17-20 and 37-44, all pending claims in the application. A response to the Action was filed by applicant on December 31, 2003 and was acknowledged by the Examiner in the Advisory Action mailed February 6, 2004 in which the rejection was sustained. Applicants hereby appeal from the final rejection of claims 17-20 and 37-44.

03/10/2004 AWONDAF1 00000040 09206216

01 FC:1251

110.00 OP

03/15/2004 FNELSON 00000004 121781 09206216

01 FC:1401 330.00 DA

It is noted that a notice of appeal was previously filed in this application on September 6, 2002. Accordingly, it is respectfully requested that the fee paid for this first notice of appeal be applied to this appeal in accordance with MPEP Section 1208.03.

The Examiner's Advisory Action of February 6, 2004 sets the period for response at three months from the October 31, 2003 mailing date of the final rejection. Submitted herewith is a check in the amount of \$110.00, the fee for a one-month extension for a large entity, which will extend the deadline for filing the Notice to March 1, 2004, as the deadline of February 29, 2004 falls on a Sunday.

The Commissioner is hereby authorized to charge any additional fees that may be due in connection with this communication or credit any overpayment to the Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,



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Date: March 1, 2004

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